

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:14-cv-251

JOINT STIPULATION OF DISMISSAL

Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendant Apple Inc. (“Apple”) hereby state that the parties have reached an agreement settling the matters in controversy between them in Civil Action No. 6:14-cv-251. Accordingly, CCE and Apple stipulate to the dismissal of all of CCE’s claims against Apple in Civil Action No. 6:14-cv-251 WITH PREJUDICE and all of Apple’s claims against CCE in Civil Action No. 6:14-cv-251 WITHOUT PREJUDICE.

CCE also seeks to dismiss CCE’s claims against AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, the “Carrier Defendants”) that were severed and stayed from Civil Action No. 6:14-cv-251 WITH PREJUDICE solely to the extent those claims for relief asserted therein involve the manufacture, use, offer for sale, sale, and/or importation of products manufactured by or for Apple that are the subject of the Settlement and License Agreement between CCE and Apple. The Carrier Defendants do not oppose.

CCE and Apple ask that the Court enter the attendant proposed Order of Dismissal, with each party to this Joint Stipulation of Dismissal to bear its own costs, expenses and attorneys' fees as may exist between them.

Dated: September 8, 2017

Respectfully submitted,

<p><u>/s/ Ed Nelson III</u> Ed Nelson III ed@nelbum.com Texas State Bar No. 00797142 Ryan P. Griffin ryan@nelbum.com Texas State Bar No. 24053687 NELSON BUMGARDNER PC 3131 West 7th Street, Suite 300 Fort Worth, Texas 76107 Phone: (817) 377-9111 Fax: (817) 377-3485</p> <p>Bradley W. Caldwell Texas Bar No. 24040630 Email: bcaldwell@caldwellcc.com John Austin Curry Texas Bar No. 24059636 Email: acurry@caldwellcc.com CALDWELL CASSADY & CURRY 2101 Cedar Springs Road, Suite 1000 Dallas, TX 75201 Telephone: (214) 888-4848 Facsimile: (214) 888-4849</p> <p>Jeffrey R. Bragalone Texas Bar No. 02855775 Jonathan H. Rastegar Texas Bar No. 24064043 BRAGALONE CONROY PC 2200 Ross Avenue Suite 4500W Dallas, TX 75201 Tel: (214) 785-6670 Fax: (214) 785-6680 jbragalone@bcpc-law.com jrastegar@bcpc-law.com</p>	<p><u>/s/Melissa Smith</u> Harry Gilliam (Bar No. 07921800) Melissa R. Smith (Bar No. 24001351) GILLIAM & SMITH LLP 303 S. Washington Avenue Marshall, TX 75670 Phone: (903) 934-8450 Fax: (903) 934-9257 gil@gilliamsmithlaw.com Melissa@gilliamsmithlaw.com</p> <p>David M. Prichard (Bar No. 16317900) PRICHARD, HAWKINS & YOUNG, L.L.P. 10101 Reunion Place, Suite 600 San Antonio, TX 78216 Phone: (210) 477-7400 Fax: (210) 477-7450 dprichard@phy-law.com</p> <p>John Allcock (<i>pro hac vice</i>) Sean C. Cunningham (<i>pro hac vice</i>) Richard T. Mulloy (<i>pro hac vice</i>) DLA PIPER LLP (US) 401 B Street, Suite 1700 San Diego, CA 92101 Phone: (619) 699-2700 Fax: (619) 699-2701 john.allcock@dlapiper.com sean.cunningham@dlapiper.com richard.mulloy@dlapiper.com</p> <p>ATTORNEYS FOR DEFENDANT APPLE INC.</p>
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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), I certify that the all parties have met and conferred and that this Joint Stipulation is unopposed.

/s/ Ed Nelson III

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of September, 2017, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Ed Nelson III